

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

David J. Widi, Jr.

v.

Civil No. 14-cv-160-SM

Federal Bureau of Prisons et al.

REPORT AND RECOMMENDATION

Plaintiff David J. Widi has filed a motion for injunctive relief (doc. no. 130), seeking an order requiring the mailroom staff at his current place of incarceration -- FCI Pollock, a federal prison in Louisiana -- to handle his court mail "in accordance with the governing federal regulations," Doc. No. 130, and log in and/or deliver court mail to him. Widi has grieved a similar issue through the administrative procedures at FCI Pollock. Widi has not shown that the administrative process has not or will not yield appropriate relief, and he has not shown that he is unable to affect the treatment without a court order by altering his incoming mail preferences at FCI Pollock. Moreover, Widi has not shown that any relief is necessary in this case, as Widi points to no court mail he has failed to receive from this court,¹ and no prejudice that he has suffered

¹Widi asserts in Doc. No. 136 that he believes this court recently sent him a copy of the docket index in this case, and that he has not received that item from this court in the mail. This court's review of its own docket shows that the clerk's office has not recently mailed Widi a copy of the docket index.

here, relative to the incoming mail practices at FCI Pollock. For these reasons, Widi has failed to show that an injunction is necessary to avoid irreparable harm in this case. See generally Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20 (2008). Accordingly, Widi's motion (doc. no. 130) should be denied.

Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's order. See Garayalde-Rijos v. Mun. of Carolina, 747 F.3d 15, 21-22 (1st Cir. 2014).



Andrea K. Johnstone
United States Magistrate Judge

July 22, 2016

cc: David J. Widi, Jr.
T. David Plourde, Esq.
Terry L. Ollila, Esq.

The clerk's office is directed to mail Widi a complimentary copy of the docket index, covering filings docketed since May 1, 2016, as a one-time convenience.